DOCUMENT RESUME

ED 093 102 40 EC 062 167

TITLE	Special Education in the States: Legislative Progress Report. Report 2.
INSTITUTION	Education Commission of the States, Denver, Colo. Handicapped Children's Education Project.
SPONS AGENCY	Bureau of Education for the Handicapped (DHEW/OE), Washington, D.C.
PUB DATE	May 74
GRANT	OEG-0-72-0242(607)
NOTE	22p.
EDRS PRICE	MF-$0.75 HC-$1.50 PLUS POSTAGE
DESCRIPTORS	Architectural Barriers; Bilingual Students; Child Advocacy; *Educational Programs; *Exceptional Child Services; Experimental Programs; *Financial Support; Handicapped Children; *Public Schools; Research Committees; *State Legislation; Teacher Certification; Transportation

ABSTRACT

Reported in the second of a series are summarized versions of approximately 80 bills relating to the education of exceptional children that have been introduced in State legislatures in 1974. The report, produced by the Handicapped Children's Education Project of the Education Commission of the States, is said to make no attempt to present all bills introduced, but rather to provide continuing information. Given for each bill is information regarding bill number and sponsor, basic provisions, and status as of May 10, 1974. Bills are listed alphabetically by State under the following alphabetically listed subjects: architectual barriers, appropriations/education foundation program, bilingual/bicultural education, child advocacy, compulsory school attendance, corporal punishment, expanded educational services, comprehensive educational services, experimental pilot programs, program accountability, evaluation/testing, study councils and committees, teacher certification/personnel, and transportation. (HC)

ED 093102

U.S. DEPARTMENT OF HEALTH
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

BEST COPY AVAILABLE

SPECIAL EDUCATION IN THE STATES: LEGISLATIVE PROGRESS REPORT

Handicapped Children's Education Project
Education Commission of the States
Denver, Colorado

May 1974
Report II

EC062161

BEST COPY AVAILABLE

WHAT IS HACHE?

The Handicapped Children's Education Program, a project of the Education Commission of the States, seeks as its goal to obtain within each state a commitment at the highest policy level to increase provisions for educational services to handicapped children.

The activities conducted by the HACHE project are based on the following three objectives and have been planned to assist each state in developing and implementing a commitment to full educational opportunities for the handicapped:

- Improve state legislation for handicapped children by assisting states in initiating, reviewing, amending and implementing legislation.

- Improve the utilization and allocation of each state's resources for providing educational services for the handicapped through the study and analysis of legislative issues and administrative procedures.

- Provide for the formulation and application of state policies for the education of the handicapped through task force activities, staff services to state governments and the promotion of the value of improved educational opportunities.

A task force consisting of 10 ECS commissioners and five professional and lay persons meets four times annually to develop recommendations related to program activities and to assist the states with legislative and administrative policies for the benefit of the handicapped.

PREFACE

The following report contains summarized versions of bills relating to the education of exceptional children that have been introduced in state legislatures in 1974. It is the second report in this series, which is produced by the Handicapped Children's Education Project of the Education Commission of the States.

The report does not attempt to present all the bills that have been introduced, but rather represents an overview of major state legislation affecting exceptional children. HACHE intends to publish a final report covering 1974 legislative action related to special education. The purpose of the document is to keep you informed of what is happening in the states.

HACHE is able to provide more detailed information relating to state legislation upon request. Please contact C. D. Jones, Assistant Project Director, HACHE, Education Commission of the States, 1860 Lincoln St., Denver, Colo. 80203.

The project presented or reported herein was performed pursuant to a grant from the U.S. Office of Education, Department of Health, Education and Welfare. However, the opinions expressed herein do not necessarily reflect the position or policy of the U.S. Office of Education, and no official endorsement by the U.S. Office of Education should be inferred. This project is supported by the Bureau of Education for the Handicapped. Grant Number OEG-O-72-0242(607).

SPECIAL EDUCATION IN THE STATES: LEGISLATIVE PROGRESS REPORT

STATE	*BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Architectural Barriers			
Maryland	HB 64 Representative Burgess	Provides facilities for the handicapped and the elderly and expands the types of buildings and facilities, subject to certain requirements.	3-20-73 unfavorable report by House Appropriations Committee
New York	S 2028 Senator Lewis	Requires all public buildings, including schools, to be constructed to permit use by handicapped persons.	Senate Finance Committee
Pennsylvania	HB 1862	Requires any college certified by the department of education to equip its buildings within one year to enable qualified, handicapped students to attend college.	House Education Committee
Vermont	SB 132 (Act #253) Senator Alden	Any parking lot on the premises of a public building shall contain a reasonable number of free, designated parking spaces in an accessible location for use by physically handicapped people patronizing the building.	Enacted— Signed by the governor 4-11-74. Effective 7-1-74
Appropriations/Education Foundation Program			
Alaska	HB 592 Health Education and Social Services Committee	Provides for competent educational services for exceptional children in the state who are at least three years of age and for whom the regular facilities are inadequate or not available, and for educational assessment for the identification and classification of the learning, mental or physical status of the child. Parent or guardian may request an independent examination or evaluation of the child if he believes the educational assessment of the child is in error. Provisions to provide for transfers of exceptional children.	Passed both houses on 4-28-74. Being enrolled for the governor's signature

* A, AB, H, HB = House Bills
S, SB = Senate Bills
LB = Legislative Bills
SJR = Senate Joint Resolution
Ch = Chapter
SF = Senate File
ACR = Assembly Concurrent Resolution
CS = Committee Substitute

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
California	SB 1261 Senator Marks	Requires each county to pay from the county general funds to any other county superintendent of schools or any school district outside the county for capital outlay expenditures incurred by such other county superintendent of schools or school district in providing special education services to residents of such county the amounts per unit of ADA prescribed for building and facilities.	Placed on inactive file
California	SB 1470 Senator Biddle	Increases the revenue limit of a school district by the amount equal to the amount a school district of residence is required to reimburse the department of education for pupils in attendance at the California School for the Blind, the Deaf and the Diagnostic School for Neurologically Handicapped Children.	Placed on inactive file at the request of the sponsor
Colorado	HB 1043 Representative Arnold	Provides that reimbursement to any administrative unit for education of handicapped children shall not exceed 100 per cent of attributed student costs when such reimbursements are combined with local, as well as all other state, private or federal resources.	Enacted— Signed by the governor 4-26-74
Connecticut	HB 5342 Education Committee	Provides state reimbursement to towns for costs of special education on a current basis; to pay towns for the cost of special education during the year in which the costs occur.	Died in Joint Education Committee
Idaho	SB 1362 Ch 127 HEW Committee	Provides special services by certified special education teachers and ancillary personnel in approved special education programs. Changes the term handicapped to exceptional. Adds an exceptional child sparsity factor to the foundation education program and provides for payment of approved personnel, i.e., teacher aides, ancillary personnel, program directors and supervisors to be no more than 80 per cent of allowable salaries. Also requires reports and the keeping of records.	Enacted— Signed by the governor 3-28-74. Effective 7-1-74
Iowa	SF 1163 Committee on Schools	Establishes 15 area education agencies with boundary lines conterminous with the 15 merged areas. The area education agencies are directed to provide programs and services to the local school districts in the area which may previously have been served by the county school systems or joint county systems in the state. The area education agency is governed by a board of directors with the same number of members as are on the board of directors of the merged area. The county and joint county school systems will be abolished as of July 1, 1975. From Oct. 7, 1974, until July 1, 1975, the area education	Passed both houses; awaiting governor's signature

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
	SF 1163 (continued)	agency board will meet with the county and joint county boards in their area education agency and arrange for a division of assets and liabilities; the county and joint county boards will assist the area education agency board in establishing programs and services. The superintendent, director of special education and necessary support personnel may be employed prior to July 1, 1975. The bill requires that the area education agencies provide for special education services and media services and allows the area education agencies to provide for inservice training, educational data processing, research and educational planning, auxiliary services and supplemental services. The bill provides for the chief executive officer to be the area education agency superintendent and mandates the employment of a director of special education. The special education instructional services are mandated, and a weighting plan is established for each type of handicap. The handicapped pupils receive a weight for enrollment purposes of from 1.8 for the least handicapped to 4.4 for the most handicapped. The enrollment of a local school district is increased by adding the weights, and state foundation aid is paid on the basis of the adjusted enrollment to provide additional funds for the local district to pay for costs of special education instructional services. For the cost of special education support services in 1975, each district in an area adds to its allowable growth the per-pupil cost of special education support services for that area pursuant to plans approved by the department of public instruction. For each succeeding year the cost of providing special education support services to newly identified children who require services is added to the allowable growth. The state cost in the foundation aid chapter is increased in 1975 by the average amount of special education support services needed in the state, so that state aid will share in providing these services.	
Kansas	HB 2059 Ways and Means Committee	General Foundation Bill. Section 47A of this act appropriates the sum of $3 million for the fiscal year 1975 from the state general fund to the state department of education for the purpose of increasing state categorical aid for special education.	Enacted— Signed by the governor 4-2-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Kansas	SB 649 Senator Meyers	Provides for direct state financial assistance for community mental health centers and for community facilities for the mentally retarded. Under provisions of this act, 85 per cent of any appropriated funds would be available for financial assistance to community mental health centers and the remainder, or 15 per cent, would be available for financial assistance for community facilities for the mentally retarded. The secretary of social and rehabilitative services is designated to administer state financial assistance.	Enacted— Signed by the governor 3-17-74
Kansas	SB 769 Ways and Means Committee	Appropriates $400,000 from the state general fund for assistance to mental health centers and mental retardation programs as covered under SB 649.	Enacted— Signed by the governor 3-19-74
Montana	SB 660 Senator Gilfeather et al.	Provides that a school district may count special education students for ANB purposes when a student is enrolled less than half time in the regular program and the balance of his time in district special education programs.	Enacted— Signed by the governor 3-28-74. Effective 7-1-74
Montana	SB 661 Senator Gilfeather et al.	Enumerates the allowable costs of special education programs which a school district may count for the purpose of assistance from the foundation program.	Enacted— Signed by the governor 3-28-74. Effective 7-1-74
New Jersey	SB 123 Senator Fay	Appropriates $1 million for the support of extended workshop employment programs for the severely handicapped.	Revenue, Finance and Appropriations Committee
New York	S 510 Senator Flynn	Increases the stipend for instruction of handicapped children to $4,000 per year and specifies that instruction shall be provided from ages 3-21.	Senate Education Committee
New York	A 9033 S 7733 Assemblyman D'Amato	Apportions aid to school districts having pupils with minimal learning disabilities. Provides local school districts with additional funds to provide adequate programs for minimally learning-disabled pupils in their home districts in the normal mainstream of education.	Assembly Education Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Pennsylvania	H 1700 Representative Itkin, et al.	Raises the approved cost of tuition and maintenance for socially and emotionally disturbed children from $3,300 to $5,500 per school year.	House Education Committee
Bilingual/Bicultural Education			
Alaska	SJR 51	Treats the problem of native languages through an amendment to the Constitution to establish the inherent rights of native peoples to be educated in their native tongues.	Died in Judiciary Committee
Colorado	HB 1114 Representative Valdez, et al.	Appropriates $3 million to the department of education for allocation to school districts for bilingual education programs.	Postponed indefinitely 4-25-74
New Jersey	SB 98 Senator Musto	Authorizes the chief state school officer to promulgate rules and regulations for the identification of pupils enrolled in the public schools of New Jersey who, because of the fact that a language other than English is the language commonly spoken in their homes, are handicapped in their ability to profit from instruction and are hereinafter referred to as linguistically handicapped children. The board of education in any school district in which 20 per cent or more of the pupils enrolled are classified under this act as linguistically handicapped may seek and obtain financial aid from the state at the rate of $500 per school year for each child identified. These funds are in addition to the resident enrollment aid in special education services reimbursement.	Senate Education Committee
New York	S 4610B Senator Giuffreda	Provides that any school district having 25 or more students whose first language is not English shall establish programs of instruction for such pupils utilizing both languages.	Assembly Rules Committee
Child Advocacy			
New Jersey	SB 13 Senator Beadleston	Creates within the department of education a bureau for the deaf and appropriates specific sums which shall be included in an annual or supplemental appropriations act.	State Government, Federal and Interstate Relations Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Tennessee	HB 432 Representative Murphy	Creates a department of children's services at the state level. This department will serve children identified as dependent, neglected, unruly and delinquent.	Died in General Welfare Committee
Tennessee	HB 824 Representative Hicks and Murphy	(Companion bill to SB 1052) Creates a state department of developmental disabilities which shall in all respects be the legal successor to the corporate powers, duties and responsibilities of the Tennessee Commission for the Blind and for all other state agencies whose function it has been to provide services for the blind, deaf, the mentally retarded or to provide aid, services or vocational rehabilitation for those persons otherwise physically disabled.	Died in Finance, Ways and Means Committee
Comprehensive Educational Services			
Kansas	HB 1672 Representative Dyck	(Amended by SB 1024) Provides a comprehensive revision and recodification of the special education law. The basic provisions are: (1) the substitution of the comprehensive "exceptional children" for the several different terms presently in the law that define specific categories of exceptionalities; (2) mandates as of July 1, 1979, that all boards of education provide approvable special education services for all exceptional children within the school district (the present July 1, 1974, mandate for programs for the developmentally disabled is not changed); (3) requires the state board of education to prepare, adopt and administer a comprehensive state plan including standards and criteria for special education services; (4) designate as included within the state plan special education programs of the state institutions which are under the jurisdiction of the department of social and rehabilitative services, the Kansas State School for the Deaf and the Kansas State School for the Visually Handicapped; (5) requires that all new rules and regulations adopted by the state board relating to special education be submitted to the legislature during each regular session to be modified, approved or disapproved; (6) creates a nine-member state advisory council for special education to be appointed by the state board of education for a term of three years; (7) provides provisions for a due process hearing at the school district level concerning any assignment or reassignment or exclusion of a child with regard to special education services; (8) combines the three existing categorical aid programs for special education into a single program and revises the method of distributing categorical funds; (9) recognizes paraprofessionals within the categorical state aid distribution plan.	Enacted— Signed by the governor 3-22-74 SB 1024 enacted— Signed by the governor 4-2-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Montana	HB 386 Ch. 93 Representative Marbut	Expands the definitions of handicapped children to include educationally handicapped persons requiring mandatory special education services after July 1, 1979, and provides for the establishment of special education services for educationally handicapped persons. Special education is a kind of instruction requiring special facilities or programs for mentally retarded or physically handicapped children or for educationally handicapped persons. An educationally handicapped person is a child or young adult under the age of 21 years who requires special assistance to the extent that he cannot reasonably profit from the regular program. After July 1, 1979, every school district must provide or establish and maintain a special education program for every handicapped person defined between the ages of 6 and 21 years in the district who cannot benefit sufficiently from the regular program of instruction by reason of his mental, physical, emotional or learning problems. A school district may meet its obligations to handicapped persons by establishing its own special education program, by establishing a cooperative special education program or by participating in a regional service program.	Enacted— Signed by the governor 4-4-74. Effective 7-1-74
New York	S 8501A Senator Donovan	Guarantees every child the right to a public education. Mandates that every local school district be responsible for the education of all the children in that district. Mandates that whenever possible, handicapped children will be educated with regular students in regular classroom programs. Requires that schools begin providing educational programs for all handicapped children from age 3, if it would be beneficial to the child. Automatic and required evaluation of every child upon school entrance to determine the most appropriate program for the child. Includes the right to parental access to active participation in the evaluation and placement process, including the right to seek an independent evaluation and to obtain redress in the courts for services not provided by the school district. Includes transportation for all handicapped children to attend school. Implementation of full service by September 1975.	Senate Education Committee
North Carolina	SB 1238 Ch. 1293 Senator Gudger	(Companion bill to HB 1814) Provides for a comprehensive revision of the special education law. This act is cited as the Equal Education Opportunities Act that established a division of children with special needs; requires state plans by the state board and local boards of education annually; establishes local and state advisory committees on children with special needs; and establishes a special education fund in the state treasury. It is intended that all current and future teacher allocations and general fund appropriations to	Enacted— Ratified on 4-11-74. Effective 7-1-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
	SB 1238 Ch. 1293 (continued)	programs for children with special education needs be noncategorical. Appropriate placement in educational services to be provided not later than the fall of 1976 for those pupils now attending school and for those who will be eligible during that period and no later than the school year beginning in the fall of 1977 for those children in institutions to be evaluated and who, to the maximum extent practicable, should be placed in an apporpriate community-based program. The bill also provides a right of appeal by parent or guardian and program evaluation.	
Ohio	HB 858 Representative Sweeney	Gives the responsibility for the education of all handicapped children between the ages of 3 and 21 to boards of education. Deletes IQ and handicap as reasons for excluding children from public school education. Every school district would be required to submit a plan for providing services by July 1, 1976. Prior to July 1, 1978, school districts would be permitted to contract with the director of Mental Health and Retardation for services. Thereafter, the school district would be responsible for providing services itself. Also contains a detailed due process procedure to review determinations made on the assignment of pupils to programs when parents object.	Assigned to the House Education Committee
Ohio	HB 954 Representative Stinziano	Provides for implementation of comprehensive special education plans. Approval of state funds for the operation of programs and services provided shall be contingent upon a comprehensive plan for special education approved by the state board of education. The state board of education shall not approve a school district's plan unless the plan proposed meets the educational needs of handicapped children in that school district and other school districts in the same general area.	Senate Education and Health Committee
West Virginia	HB 1271 Representatives Merritt and Gillispie	(Article 20) Relates to the establishment of special programs and teaching services for exceptional children. County boards of education shall establish and maintain special education programs for all exceptional children between the ages of 5 and 23 years of age. Provisions shall be made for educating such exceptional children (handicapped and gifted) who differ from the average or normal in physical, mental or emotional characteristics, or in communicative or intellectual deviation characteristics, or both, to the extent that they cannot be educated safely or profitably in the regular classes to the extent that they need special education provisions within the regular classroom. County boards shall establish and maintain special education programs by July 1, 1974. Special	Enacted— Effective 7-1-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
	HB 1271 (continued)	education programs can be provided for exceptional children 3 years of age or older. Each child enrolling in a special education program shall be examined by an appropriate specialist. The specialist's report shall carry recommendation for eligibility and placement in regular schools or in the special education facility, indicate the nature and extent of the disability and advise with reference to treatment and prosthesis for alleviating the child's disability. The superintendent shall cooperate with all other public and private agencies engaged in relieving, caring for, curing, educating and rehabilitating exceptional children and in helping coordinate the services of such agencies. Creates an advisory council for the education of exceptional children which shall advise and consult with the state board of education.	
Compulsory School Attendance			
Kentucky	HB 40 Representative Clarke	Relates to exemptions from compulsory school attendance. For any child who is excluded under the provisions of this act (i.e., subsection (1) (c)) home, hospital, institutional or other regularly scheduled and suitable instruction meeting standards, rules and regulations of the state board of education shall be provided.	Enacted— Signed by the governor 3-15-74. Effective 90 days after session ends
Corporal Punishment			
California	SB 1600 Senator Petris	Prohibits the administration of corporal punishment to pupils enrolled in special education facilities and services.	Assembly Education Committee
Expanded Educational Services			
California	AB 2699 Representative Murphy	Authorizes county superintendent of schools to enter into agreement with school districts regarding the acquisition and use of mobile units for the education and therapy of speech-handicapped pupils.	Senate Education Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
California	AB 748 Representative Cory	Establishes a three-year trainable mentally retarded program and authorizes the state board of education to select school districts and county superintendents of schools to begin programs for vocational education instruction and on-the-job training of trainable mentally retarded persons between the ages of 21 and 25 years. Requires the development of criteria for participation in the program by the department of education in cooperation with the department of social welfare and the department of rehabilitation. Also requires participating districts and county superintendents to keep continuous records of the progress of each student and to transfer records upon termination in the program to any other state or local agency that intends to provide assistance. This bill is to remain in effect until July 1, 1978, and appropriates $1,500,000 to the department of education.	Amended in the Senate Finance Committee and rereferred to the Senate Finance Committee
California	SB 1575 Senator Grunsky	Lowers the age from 5 to 3 years for severely mentally retarded pupils for whom school districts and county superintendents of schools may provide special education.	Senate Finance Committee
Florida	SB 639 Senators Peterson and Graham	Special education support services act of 1974. Authorizes the department of education, division of elementary and secondary education, to award grants to local school districts for the establishment or expansion of special education support services to: (1) assure the availability of a full range of education assessment, medical, psychological, social and prescriptive instructional services and other related services through direct services or purchased services; and (2) provide consultant services within a district or districts to parents, regular teachers, exceptional child teachers, principals and other school personnel and community organizations who provide instructional programs. Appropriates to the department of education, division of elementary and secondary education, from the general revenue fund for the fiscal year 1974-75. $2,860,000 to provide grants to school districts for administration, staff and other services for the implementation of special education support programs. $60,000 to administer and carry out the purposes of this act.	Senate Ways and Means Committee
Florida	SB 369 Committee on Education	Relating to the definition of "exceptional students." The term "exceptional student" means any child or youth who has been certified by a specialist qualified under regulations of the state board to determine an exceptional student as one who is unsuited for enrollment in a regular class of the public schools or who is unable to be adequately educated in the public schools	Senate Ways and Means Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
	SB 369 (continued)	without the provisions of special classes, instruction, facilities or related services, or a combination thereof. Each school board shall provide an appropriate program of special instruction for exceptional children, and such programs shall be implemented in annual increments so that all exceptional children shall be served by 1973-74. A condition of this is that all severely and profoundly retarded children shall be served by 1975-76. Appropriates $635,000 for the purposes of this act. This act shall take effect July 1, 1974.	
Georgia	HB 1412 Representative Adams	Provides for the education and rehabilitation of severely multihandicapped children and would authorize the state board of education to establish, operate and maintain such regional facilities as it deems necessary to provide educational and training services for severely multihandicapped children.	Died in the House Education Committee
Georgia	HB 1504 (Act #1289) Representative Burton	Changes the present legal definition of the term "exceptional child." This bill would consider as exceptional children those persons 3-20 years of age who have emotional, physical, communicative or intellectual deviations, or any combination thereof, to the degree that there is interference with school achievements or adjustments, or prevention of full academic attainment, and who require modifications or alterations in their educational programs. This definition includes children who are mentally retarded, physically handicapped, speech handicapped, multiple handicapped, autistic, intellectually gifted, hearing-impaired and any other areas of exceptionality which may be identified.	Enacted— Signed by the governor 3-28-74
Georgia	SB 504 (Act #824) Senator Rowan	Provides for instruction of pupils who are married, a parent or pregnant, whether married or unmarried. The instruction would be within the regular daytime education program, and a local school system may develop and implement special programs of instruction limited to such students within the regular daytime educational program. These programs may include instruction in prenatal care and child care.	Enacted— Signed by the governor 3-18-74
Kentucky	HB 41 Representative Clarke	Relates to the definition of exceptional children. Exceptional children means all persons under 21 years of age who are different in one or more aspects from average or normal children in physical, emotional or social characteristics and abilities to such a degree that it is impracticable or impossible for them to benefit from or participate in the regular or usual facilities or classroom programs of the public schools in the district in which they reside. These	Enacted— Signed by the governor 3-12-74. Effective 90 days after session ends

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
	HB 41 (continued)	children include the neurologically impaired, visually impaired, hearing impaired, emotionally disturbed, retarded, children with learning disabilities, communication disorders and those children who are multiple-handicapped.	
Kentucky	HB 240 Representative Hinkle	Permits exceptional children who cannot be assembled in a school to receive instruction in the child's home, hospital or sanitarium.	Enacted— Signed by the governor 3-28-74. Effective 90 days after session ends
Kentucky	HB 271 Representative Hinkle	Provides for instruction for exceptional children in either another school district or with a private organization when such programs are not available in a district in which the child resides. The school board of the school district in which any child resides shall pay for his transportation to and from the program. However, if the school board of the other district or the private organization also provides transportation, the cost of transportation shall be included in the total cost.	Enacted— Signed by the governor 3-15-74. Effective 90 days after session ends
Maryland	SB 62 Senator Conroy	Provides that handicapped children in state residential institutions are entitled to placement in private educational facilities under certain circumstances.	First reading on 4-4-74 and assigned to House Ways and Means Committee. Died in House Ways and Means Committee
Michigan	SB 1151 Senator Toepp	Allows special education services to be contracted for directly or in a cooperative manner through millage levied by an intermediate school district.	House Education Committee
Mississippi	HB 235 Representative Lippian	Provides that the definition of exceptional children include gifted children. Such children shall be determined by competent medical authorities and psychologists who are approved by the state board of education.	Enacted— Signed by the governor 3-25-74. Effective 7-1-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Nebraska	LB 432 Senator Marvel et al.	Directs the state department of education to develop and provide a comprehensive educational program for acoustically handicapped children in Nebraska to be operated as a satellite program for the Nebraska School for the Deaf. The program shall be in operation not later than Oct. 1, 1974, and is designed to serve acoustically handicapped children at the preschool and primary levels of education. The state department of education is designated to coordinate the curriculum and method of service delivery of the educational program for acoustically handicapped children with the programs offered by the Nebraska School for the Deaf.	Enacted— Signed by the governor 2-4-74. Effective 7-11-74
Nebraska	LB 810 Senator Stahmer	Extends services from age 19 to age 21 to those physically handicapped children covered by law related to special education and revises such law.	Indefinitely postponed
New Jersey	SB 441 Senator Beadleston	The state board of education shall identify and ascertain what children, if any, between the ages of 5 and 20 in the public schools of the district cannot be properly accommodated because of handicaps through the school facilities usually provided. In addition, each board of education shall also identify and ascertain when deemed appropriate those children between the ages of 3 and 5 who require and who would benefit by a special education program which may prevent their handicap from becoming more debilitating. The board of education may, if a local child study team so recommends and the commission approves, provide for children under the age of 5 suitable facilities, programs and special services, in respect to which facilities, programs or services are provided for children 5 years of age or over.	On current agenda of the Senate Education Committee
New York	S 132 Senator Marino	Extends the definition of handicapped children to include emotionally disturbed children.	Senate Education Committee
New York	S 275 Senator Pisani	Extends the definitions of handicapped children to include learning disabilities.	Senate Education Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
New York	A 8150 Representative Cook	Authorizes the department of education to spend up to $3,500 in contracting with an educational facility for the education of a handicapped child.	Assembly Education Committee
Tennessee	HB 726 Representative Anderson et al.	(Companion bill to SB 1026) Requires the provision of educational facilities and services for multiple-handicapped and other developmentally disabled children.	Died in Calendar and Rules Committee
Experimental Pilot Programs			
Minnesota	HB 2996 Ch. 521 Representative Graba	General Appropriations Act. Section 2 relates to early childhood identification and educational programs. Provides for the 1974-75 school year. The council on quality education shall make grants to not fewer than six pilot early childhood and identification and educational programs. These programs are for children before kindergarten and below age 6 who may have the following: identification and potential barriers to learning and the education of parents on child development.	Enacted-- Signed by the governor 4-11-74
New Jersey	AB 335 Representative Froude	To develop and carry out experimental and early childhood educational programs for handicapped children which show promise of promoting a comprehensive and strengthened approach to the special problems of such children. Appropriates $1 million for the purpose of this act.	Assembly Education Committee
New Jersey	AB 1031 Representative Baer	Relates to the development of quality educational programs for gifted or talented children. Gifted or talented students means students enrolled in the public schools of New Jersey whose intellectual capacity or talent potential in the areas of art, language, mathematics, music or science are so superior that their full potential for development may be significantly impaired by failure to receive an appropriate special education program or that their ability to profit from the regular educational program usually offered to students their age may be significantly impaired. A two-year pilot program shall be developed to provide such appropriate special education for gifted or talented students. Appropriates $240,000 to the department of education for the purposes of this act.	Assembly Education Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Program Accountability			
Montana	SB 662 Ch. 345 Senator Gilfeather et al.	Establishes procedures for fixing special education program budgets within school budgets.	Enacted— Signed by the governor 3-28-74. Effective 7-11-74
Evaluation/Testing			
Connecticut	HB 5339 Education Committee	Concerns special education grants for preschool children, to assure early diagnosis of children who need special education and thus increase their learning potential.	Died in the Joint Education Committee
New York	A 3449 Representative Shield	Directs school districts to take a census of children during September 1974 and every third year thereafter. Information regarding handicapped minors shall be filed with the BOCES.	Assembly Codes Committee
Study Councils and Committees			
New Jersey	SJR 11 Senators Hirkala, Russo and Bedell	Creates a 12-member commission to study the nature, extent and amount of state aid programs for mentally retarded persons.	Institutions, Health, Education and Welfare Committee
New Jersey	ACR 13 Representative Orichio	Creates a commission to study the feasibility of establishing a program of preschool training for physically handicapped children.	Assembly Education Committee
North Carolina	SB 1382 Ch. 1422 Senator Gudger	Creates a permanent legislative commission on children with special needs. The commission is authorized to pursue an indepth study of the services provided by other states of children with special needs; collect and evaluate the comprehensiveness of existing legislation in North Carolina which is relevant to programs for children with special needs, as well as pertinent reports, studies and findings from other states and national organizations; and monitor on a	Enacted— Ratified on 4-13-74. Effective on date of ratification

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
	SB 1382 Ch. 1422 (continued)	continuing basis the progress of the state as it moves toward meeting the service requirements of children with special needs. The commission shall make a report to the General Assembly not later than Feb. 1, 1975, and Feb. 1 of each subsequent session through 1979. The 1979 report shall contain a review of the effectiveness of the commission and a recommendation concerning future retention of the commission. Appropriates $40,000 for the 1974-75 fiscal year.	
North Carolina	HB 1546 Ch. 1079 Representative Bell	Establishes an advisory council to the state board of education to be called "The Council on Educational Services for Exceptional Children." The council shall consist of 17 members. The duties of the council shall be to carry out periodic review of the exceptional child program in the public schools and to receive complaints from citizens concerning all aspects of the operation of the public schools dealing with the exceptional child, to review these complaints and to make recommendations to the state board of education on corrected actions and programming.	Enacted— Ratified on 4-1-74. Effective on date of ratification
Teacher Certification/Personnel			
Florida	HB 2757	Requires the division of elementary and secondary education of the department of education to employ one full-time educational consultant to coordinate and oversee specific learning disabilities programs throughout the state. Appropriates $27,200 for the employment of such a person and for a secretary and office space.	House Education Committee
Florida	HB 2758	Provides that no regular certificate as an elementary classroom teacher shall be granted to any applicant who has not received college training or its equivalent in the observation and interpretation of student behavior for the purpose of detecting specific learning disabilities and authorizes the issuance of a temporary 12-month certificate. Authorizes the department of education to approve workshops in the school districts to serve as equivalent training required by the act. Grants a 12-month period to elementary teachers currently certified to meet the requirements of the act.	House Education Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Georgia	HB 1815 (Act #1236) Representative Burton, et al.	Provides certain requirements relative to the certification of teachers, principals and guidance counselors. Under this legislation, no person would be granted a certificate as a teacher, principal or guidance counselor after July 1, 1976, unless such person has satisfactorily completed a course of five or more quarter hours, approved by the state board of education, in the education of exceptional children or participated in a local system's staff development program designed to assist teachers in the identification of students with special needs.	Enacted— Signed by the governor 3-26-74
Transportation			
Colorado	SB 84 Senator Noble	Amends provisions relating to reimbursable program costs approved by the department regarding mileage expenses incurred for consultation and evaluation services provided by psychiatrists, psychologists, social workers and speech therapists.	Passed both houses; awaiting governor's signature
Michigan	SB 915 Senator Bursley	Allows the department of education to waiver 1 1/2-mile limitation for districts transporting a handicapped child, if the department determines the child cannot walk that distance safely.	Senate Education Committee
Michigan	SB 1117 Senator Bursley	Increases the limit allowed for reimbursement for transporting handicapped children to public schools.	Senate Appropriations Committee
Nebraska	LB 92 Senator Snyder	Related to handicapped and trainable mentally retarded children and contains provisions to change allowances for transportation expenses and to eliminate a restriction on the number of trips.	Enacted— Signed by the governor 2-2-74. Effective 7-11-74
Pennsylvania	H 1863	Requires school directors to provide full and complete transportation services for any handicapped student to any school or college within the district's boundary; to establish a 5-to-1 student-teacher ratio at the primary level and 10-to-1 at the secondary level. Also amends reimbursement of transportation payments for the handicapped to full payment.	House Education Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS 5-10-74
Pennsylvania	H 1742	Requires that deaf children be provided free transportation, including weekend travel, to an approved boarding school or institution and provides for reimbursement of such transportation.	House Education Committee
Pennsylvania	H 1801	Transfers to intermediate units the responsibility to provide transportation for public, nonpublic and exceptional school pupils; provides for transportation payments to intermediate units by the Department of Transportation in an amount equal to 50 per cent of transportation costs, the balance paid by school districts to the intermediate units on the basis of respective district transportation costs; authorizes the Department of Transportation to promulgate rules and regulations for carrying out the act; appropriates moneys from the "Parent Reimbursement Act for Nonpublic Education" and 23 per cent of the "Cigarette Tax Act" to the Department of Transportation for transportation payments; is effective immediately and shall apply to transportation of pupils on and after July 1, 1974.	House Education Committee

BEST COPY AVAILABLE

HANDICAPPED CHILDREN'S EDUCATION PROJECT TASK FORCE

James M. Waddell Jr.
(Task Force Chairman)
State Senator
South Carolina

Mrs. Francis W. Sargent
(Task Force Vice Chairman)
Boston, Mass.

Helen Belme
State Representative and Chairman,
Health, Education and Social Services
Committee
Alaska

Harold Bergquist
Assistant Superintendent-
Secondary Education
Burnsville, Minn.

Leo F. Cain
President, California State College
at Dominguez Hills
California

John E. Gray
President, Lamar University
Beaumont, Tex.

Calvin Hart
Director, Pupil Personnel Services
Bronx, N.Y.

B. G. Hendrix
State Representative
Arkansas

Peter Hickey
Student, University of Houston
Texas

Arthur L. Mallory
Commissioner of Education
Missouri

Jack Matthews
Chairman, Department of Speech and
Theater Arts
University of Pittsburgh
Pennsylvania

David C. Miles
Director, Pupil Services Unit
Department of Education
Colorado

James E. Stratten
Chief, Division of Apprenticeship
Standards
California

Harrison A. Williams Jr.
United States Senator
Washington, D.C.

Ex Officio Members

Reubin O'D. Askew
(ECS Chairman)
Governor
Florida

Mrs. Hope Kading
(ECS Vice Chairman)
Chairman, State PTA Legislative
Committee
Boise, Idaho

BEST COPY AVAILABLE

Education Commission of the States

The Education Commission of the States is a nonprofit organization formed by interstate compact in 1966. Forty-seven states and territories are now members. Its goal is to further a working relationship among state governors, legislators and educators for the improvement of education. The Commission offices are located at 300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203.